

Remarks:

These remarks are responsive to the Office action dated April 7, 2005. Prior to entry of the present Amendment, claims 1-27 were pending in the application. No claims have been added pursuant to this Amendment. None have been cancelled. Claims 1-27 thus remain pending in the application. In view of the remarks below, applicants respectfully request reconsideration of the application under 37 C.F.R. §1.111 and allowance of all pending claims.

Applicants initially note with appreciation that claims 10-17 and 22-27 are indicated allowable, and that claim 7 is indicated allowable if rewritten in independent form. Applicants have rewritten claim 7 in independent form. Claim 7 thus is understood to be in allowable form.

Claims 1-6, 8-9 and 18-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Simpson et al. (US 6,453,129). Applicants respectfully traverse the rejection, noting that in order to apply a reference under 35 U.S.C. § 102(e), the inventive entity of the application must be different than that of the reference. MPEP 706.02(a)(II)(B). Applicants also note that the present application has the same inventive entity as U.S. Patent No. 6,453,129, namely Shell S. Simpson, Ward S. Foster, and Kris R. Livingston. The reference therefore is not available as prior art. In particular, the reference is not an invention "by another" as required under 35 U.S.C. § 102(e). The rejection of claims 1-6, 8-9 and 18-21 under 35 U.S.C. § 102(e) thus should be withdrawn.

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Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Examiner T. Lamb, Group Art Unit 2622, Assistant Commissioner for Patents, at facsimile number (703) 872-9306 on June 27, 2005.


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